



Order Filed on December 27, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

Friedman Vartolo LLP
1325 Franklin Avenue – suite 160
Garden City, New York 11530
bankruptcy@friedmanvartolo.com

T: (212) 471-5100

F: (212) 471-5150

Attorneys for SN Servicing Corporation as servicer for
U.S. Bank Trust National Association, as Trustee of
the Chalet Series IV Trust

In Re:

Charles Morelli
Debtor

Case No.: 17-33664-CMG

Chapter: 13

Hon. Judge: Christine M. Gravelle

Hearing Date: November 16, 2022, at
9:00AM

ORDER RESOLVING MOTION TO VACATE STAY

The order set forth on the following pages, is hereby **ORDERED**.

DATED: December 27, 2022

A handwritten signature in black ink, reading "Christine M. Gravelle", is written over a horizontal line.

Honorable Christine M. Gravelle
United States Bankruptcy Judge

Applicant: SN Servicing Corporation as servicer for U.S. Bank Trust National Association, as Trustee of the Chalet Series IV Trust
Applicant's Counsel: Friedman Vartolo LLP
Debtor's Counsel: Collins, Vella & Casello
Property (Collateral): 1 Lorelei Drive, Howell Township, NJ 07731

Relief Sought:

- Relief from Automatic Stay

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtor(s) is/are overdue for 2 months, from 10/01/2022 to 11/01/2022.
- ☒ The Debtor(s) is/are overdue for 2 payments at \$2,083.37 per month
- ☐ The Debtor(s) is/are due for \$0.00 in accrued late charges.
- ☐ The Debtor(s) is/are due for \$200.00 in attorney's fees and costs.
- ☒ Applicant acknowledges suspense funds in the amount of \$324.50

Total Arrearages Due: \$3,842.24

2. Debtor(s) must cure all post-petition arrearages, as follows:

- ☐ Immediate payment shall be made in the amount of _____. Payment shall be made no later than _____.
- ☒ Debtor shall sell the property no later than February 28, 2023.
- ☒ Beginning on November 30, 2022, regular monthly mortgage payments shall continue to be made in the amount of \$2,083.37.
- ☐ Beginning on _____, through and including _____, additional monthly cure payments shall be made in the amount of _____ for ____ month(s).
- ☐ The amount of \$_____ shall be capitalized in the debtor's Chapter 13 plan. Said amount shall be set up on Trustee's ledger as a separate Claim. Debtor(s) shall file a Modified Plan within 10 days from the entry of this Order to account for the additional arrears to be paid to the secured creditor via Chapter 13 Plan and to adjust monthly payments to the Chapter 13 Trustee accordingly.

3. Payments to the Secured Creditor shall be made to the following address:

Payments: SN Servicing Corporation
P.O. Box 660820
Dallas, TX 75266

4. In the event of default:

☒ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment commencing after the cure of the post-petition delinquency is more than thirty (30) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and Debtor('s) attorney and the court shall enter an Order granting relief from the Automatic Stay.

☒ In the event the Debtor(s) converts to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtor(s) fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and Debtor('s) attorney and the court shall enter an Order granting relief from the Automatic Stay.

☒ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor(s), and Debtor('s) attorney and the court shall enter an Order granting relief from the Automatic Stay

5. Award of Attorney's Fees:

The Applicant is awarded attorney's fees of \$200.00.

The fees and costs are payable:

- ☐ Attorney's fees and costs have been included in the Consent Order.
- ☒ Through the Chapter 13 plan. The fees/costs shall be set up as a separate claim to be paid by the Standing Trustee and shall be paid as an administrative claim.
- ☐ To the Secured Creditor within _____ days
- ☐ Attorney's fees are not awarded.
- ☐ Movant reserves its right to file a Post-Petition Fee Notice for fees and costs incurred in connection with the Motion for Relief.

In re:
Charles Morelli
Debtor

Case No. 17-33664-CMG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Dec 27, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 29, 2022:

Recip ID	Recipient Name and Address
db	+ Charles Morelli, 1 Lorelei Drive, Howell, NJ 07731-2845

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 29, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 27, 2022 at the address(es) listed below:

Name	Email Address
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo	docs@russotrustee.com
Denise E. Carlon	on behalf of Creditor MTGLQ Investors LP dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Jonathan C. Schwalb	on behalf of Creditor SN Servicing Corporation as servicer for U.S. Bank Trust National Association as Trustee of the Chalet Series IV Trust bankruptcy@friedmanvartolo.com jschwalb@ecf.courtdrive.com
Joseph Casello	on behalf of Debtor Charles Morelli jcasello@cvclaw.net jcasello627@gmail.com
Kevin Gordon McDonald	

District/off: 0312-3

User: admin

Page 2 of 2

Date Rcvd: Dec 27, 2022

Form ID: pdf903

Total Noticed: 1

on behalf of Creditor MTGLQ Investors LP kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com

Rebecca K. McDowell

on behalf of Creditor Affinity Federal Credit Union rmcowell@slgcollect.com anova@slgcollect.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8